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November 22, 2024

Via ECF

The Honorable Naomi R. Buchwald
United States District Court
Southern District of New York
500 Pearl St.
New York, NY 10007

Re: ***Cequel Communications, LLC d/b/a Suddenlink Communications v. Mox Networks, LLC, No. 21-cv-5577***

Dear Judge Buchwald:

Counsel for Plaintiff, Cequel Communications, LLC d/b/a Suddenlink Communications, and for Defendant, MOX Networks, LLC (together, the “Parties”) jointly write to respectfully request a further extension of the deadline to file a proposed schedule for the resolution of the outstanding claims in this matter. On August 23, 2024, the Court issued a Memorandum and Order (the “August 23 Order”) granting Plaintiff’s motion for summary judgment on its first three claims for breach of contract and denying Defendant’s cross-motion for partial summary judgment. *See* ECF No. 88. The Court directed the Parties, if unable to resolve the remaining claims, to file a proposed schedule for their resolution within 45 days of the August 23 Order. *Id.*

Since the August 23 Order, the Parties have engaged in good faith negotiations in efforts to resolve the remaining claims. The Parties have jointly requested extensions of the deadline to file the proposed schedule twice, on October 4, 2024 and October 21, 2024. *See* ECF No. 89 & 91. The Court granted both requests. *See* ECF No. 90 & 92. The deadline to submit a proposed schedule is currently November 25, 2024.

Since the last extension request, the Parties have continued to engage in good faith negotiations and make headway towards a potential resolution of this matter. Given the upcoming holidays and that the Parties are attempting to negotiate a full resolution, which includes non-monetary terms that require technical expertise and intervention, the Parties respectfully request to extend the deadline to file a proposed schedule for resolving the remaining claims to January 21, 2025. This is the Parties’ third request for an extension of this deadline and this request does not affect any other scheduled dates.

Thank you for Your Honor's attention to this matter.

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By: /s/ Avni P. Patel

Avni P. Patel
Attorneys for Plaintiff

By: /s/ Marsha J. Indych

Marsha J. Indych
Attorneys for Defendant

Application granted.

SO ORDERED.

A handwritten signature in blue ink, reading "Naomi Reice Buchwald", is written over a horizontal line.

NAOMI REICE BUCHWALD
UNITED STATES DISTRICT JUDGE

Dated: November 25, 2024
New York, New York